



UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/306,650	09/14/94	KATZ	R 4646101N5

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EXAMINER

WOO, S

ART UNIT

PAPER NUMBER

2605

DATE MAILED:

06/26/97

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

4646101N5

Office Action Summary

Application No.
08/306,650

Applicant(s)
Katz

Examiner
Stella Woo

Group Art Unit
2605



☒ Responsive to communication(s) filed on Jul 31, 1996

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 24-118 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 24-118 is/are rejected.

Claim(s) _____ is/are objected to.

Claims _____ are subject to restriction or election requirement.

Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☒ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☒ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Art Unit: 2605

DETAILED ACTION

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

2. Claims 56, 58-59, 61-62, 78-82 are rejected under 35 U.S.C. 102(e) as being anticipated by Entenmann et al. (Entenmann).

Entenmann discloses a telephonic-interface control system for a game of chance comprising:

interface means (col. 2, lines 54-56);

voice generator means (announcement system 17);

processing means (control processor 8);

qualification means (col. 2, line 65 - col. 3, line 4);

means for storing (database 19).

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 57 is rejected under 35 U.S.C. 103(a) as being unpatentable over Entenmann.

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Entenmann differs from claim 57 in that it does not specify the use of a check digit. However, the examiner takes Official Notice that this feature is notoriously well known in the art, for example, the use of checksum is conventionally used to test data integrity such that it would have been obvious to an artisan of ordinary skill to incorporate the use of such a notoriously well known validation mechanism for testing the integrity of received data from the caller.

5. Claim 60 is rejected under 35 U.S.C. 103(a) as being unpatentable over Entenmann in view of Troy et al. (Troy).

Entenmann differs from claim 60 in that it does not specify using a social security number as identification. However, Troy teaches the well known use of one's social security number as identification in a lottery system (col. 4, lines 56-60) such that it would have been obvious to an artisan of ordinary skill to use social security numbers as player identification, as taught by Troy, within the system of Entenmann.

6. Claims 63-77 are rejected under 35 U.S.C. 103(a) as being unpatentable over Entenmann in view of Barr et al. (Barr).

Entenmann differs from claims 63-77 in that Entenmann uses a customer's telephone number, rather than a number provided on a ticket, for testing limit access. However, Entenmann does provide for the customer entering a lottery code (col. 2, lines 49-54) and Barr teaches the lottery code being on a lottery ticket (col. 3, lines 6-24) such that it would have been obvious to an artisan of ordinary skill to use a lottery ticket number for testing limit access.

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7. Claims 24-55, 83-118 are rejected under 35 U.S.C. 103(a) as being unpatentable over Entenmann in view of Barr, and further in view of Muller et al. (Muller).

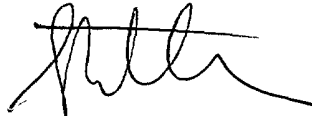
Entenmann differs from claims 24-55, 83-118 in that it does not specify a distinct indicia, or bar code number, co-related to at least a portion of the identification number provided on the ticket. However, Barr teaches the well known use of lottery ticket provided with a lottery number to be entered by dialing in to a provided telephone number and Muller teaches the conventional use of a bar code number co-related to the lottery identification number for the purpose of providing a high level of security when verifying winning tickets (Abstract) such that it would have been obvious to an artisan of ordinary skill to incorporate the use of a lottery ticket, as taught by Barr, and the use of a bar code, as taught by Muller, within the system of Entenmann.

8. Applicant's arguments with respect to claims 24-118 have been considered but are moot in view of the new ground(s) of rejection.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stella Woo whose telephone number is (703) 305-4395.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz, can be reached at (703) 305-4708. The fax phone number for this Group is (703) 305-9508.

June 23, 1997.


STELLA WOO
PRIMARY EXAMINER
GROUP 2600